

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Suits - Filing of SLP before the Hon'ble Supreme Court of India against the common order Dated: 09-07-2014 in W.P. Nos. 26732, 26815, 26828 of 2010 and 9526 of 2011 on the file of the High Court of Judicature at Hyderabad - Orders - Issued.

---

**HOME (COURTS.A) DEPARTMENT**

**G.O.RT.No. 194**

**Dated:19-02-2015.**

**Read the following:-**

- (1) Hon'ble High Court common order, dt:- 09-07-2014 in W.P. Nos: 26732, 26815, 26828 of 2010 and 9526 of 2011.
- (2) Letter from the Addl., Director of Prosecutions (FAC), A.P., Hyd., Dt:- 15-09-2014 addressed to the Advocate General, Government of Andhra Pradesh, Hyderabad.
- (3) Letter from the Advocate General, Opinion No: 34/2014, dated:- 25-09-2014.
- (4) Letter from the Addl., DoP (FAC), No: 79/B1/2014, Dated 20-11-2014.

**&&&**

**ORDER:-**

In the letter 4<sup>th</sup> read above the Additional Director of Prosecutions (FAC), Andhra Pradesh, Hyderabad has stated that his office had filed W.P.No: 26815/2010 against the orders of the Hon'ble APAT., in O.A.No.7422/2005 and also filed other WPs 26732, 26828 of 2010 and 9256/2011 against the orders in O.A. Nos 6254/06, 10546/09 and 6635/07 in regarding fixation of seniority of Assistant Public Prosecutors under Rule 16(h) of A.P., State and Subordinate Service Rules 1996.

2. He has further stated that the Hon'ble High Court has dismissed all the WPs., and passed common order, dated 09-07-2014 stating that "the question of application of Rule 16(h) of the Rules does not arise in respect of those applicants. In respect of respondent No.1 in WP No:9256 of 2011 as she could not pass the Accounts Test within the period of probation, her probation is liable to be altered for the simple reason that no extension of probation orders were passed either by the appointing authority or by the Government. Therefore that orders need no interference by High Court, as none of the findings is shown to be perverse or contrary to law".

3. On the said orders, opinion of the Government Pleader of High Court and the Advocate General of Andhra Pradesh were obtained and both the officers opined therein that similar cases are pending in the Hon'ble Supreme Court and it is a fit case wherein SLP can be filed in the Hon'ble Supreme Court.

4. The Government after careful examination of the proposal of the Additional Director of Prosecutions (FAC), Andhra Pradesh, Hyderabad hereby decided to file a petition for leave to appeal before the Hon'ble Supreme Court of India, New Delhi against the common orders of High court dated 09.0.2014 in W.P.Nos:26732, 26815, 26828 of 2010 and 9256 of 2011 on the file of the Hon'ble High Court of Judicature at Hyderabad.

5. Accordingly, a copy of the opinion of the Advocate General, High Court of Judicature at Hyderabad together with its enclosures in original are forwarded herewith to the Special Officer, Office of the Advocate-on-Record, for the State of Andhra Pradesh at New Delhi to take immediate action to file an appeal before the Hon'ble Supreme Court of India, New Delhi together with a petition for condoning the delay and to obtain stay orders against the said orders of High Court of Judicature at Hyderabad.

(P.T.O.)

::2::

6. The Special Officer, Advocate-on-Record, New Delhi is also directed to intimate the stage of the case from time to time till it is disposed off. The receipt of this order and its enclosures shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T. NARAYANA REDDY,  
SECRETARY TO GOVERNMENT (FAC)

**To**

The Special Officer, Advocate-on-Record for the State of Andhra Pradesh,  
A.P. Bhavan, Ashoka Road No.1, New Delhi (w.e.)

The Additional Director of Prosecutions (FAC),

Andhra Pradesh, Hyderabad (with a request to send all the relevant papers to the A-o-R New Delhi and liaise with A-o-R)  
SF/SC.

//FORWARDED::BY ORDER//

**SECTION OFFICER**